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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re) BK. No. 08-46889

Lawanda West,) R.S. #LZ77006

Debtor(s).) CHAPTER 13

California Housing Finance Agency, its assignees
and/or successors in interest,

**MOTION FOR RELIEF FROM THE
AUTOMATIC STAY**

Movant,
vs.

HEARING:

Date: November 20, 2009

Time: 10:00 a.m.

Place: Ctrm. 215
1300 Clay Street
Oakland, CA

Lawanda West,
Martha G. Bronitsky, Trustee

Respondents.

California Housing Finance Agency moves the Court for relief from the automatic stay provided by 11 U.S.C. § 362 as in moving party and the Trustee under the Deed of Trust securing Movant's claim so that Movant and its Trustee may commence and continue all acts necessary to foreclose under the Deed of Trust secured by the Debtors' property.

This Motion is brought pursuant to 11 U.S.C. § 362(d)(1) for "cause" for the Debtors' failure to make required post-petition payments as set forth in the Declaration of Rhonda Barrow, filed concurrently herewith. As set for In re Ellis, 60 B. R. 432, the failure to make required payments constitutes "cause" to vacate the stay.

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2 Furthermore, Movant will also seek attorney fees and costs incurred in bringing this
3 Motion. Movant requests such fees pursuant to the terms of the Note and Deed of Trust as set forth
4 in 11 U.S.C. § 506(b). Movant also seeks all other relief that the Court deems just and appropriate.

5 This Motion is based on these moving papers as well as the Declaration of Rhonda
6 Barrow and the exhibits attached thereto, which have been served and filed concurrently herewith.

7 In the event neither the Debtors nor their counsel appear at the hearing on this Motion,
8 the Court may grant relief from the automatic stay thereby permitting Movant to foreclose on the
9 Debtors' real property located at 1428 Lilac Lane, Antioch, California, and obtain possession of said
10 property without further hearing. Lastly, Movant prays that the court waive the 10 day waiting
11 period set forth in FRBP 4001(a)(3).

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13 DATED: October 28, 2009

LAW OFFICES OF LES ZIEVE

/s/ Les Zieve

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LES ZIEVE
Counsel for Movant